

APPEAL NO. 020891  
FILED MAY 31, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 5, 2002. The hearing officer found against the occurrence of a compensable injury.

The appellant (claimant) has appealed and sets out why she believes the decision is contrary to the great weight and preponderance of the evidence. There is no response from the respondent (carrier).

DECISION

A timely appeal not having been filed with the Texas Workers' Compensation Commission (Commission), the decision of the hearing officer has become final. Section 410.169.

The decision of the Commission was distributed on March 13, 2002. Pursuant to Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 102.5(d) (Rule 102.5(d)), the claimant is deemed to have received this decision on March 18, 2002. The appeal was due, in accordance with amended Section 410.202, to be filed by April 9, 2002. However, it was not filed until April 12, 2002, by facsimile transmission and the U.S. postal service. The claimant's appeal is untimely and by operation of Section 410.169, the hearing officer's decision has become final. The Appeals Panel, therefore, lacks jurisdiction to consider the appeal.

The true corporate name of the insurance carrier is **ZURICH NORTH AMERICA** and the name and address of its registered agent for service of process is

**GARY SUDOL  
ZURICH NORTH AMERICA  
12222 MERIT DRIVE, SUITE 700  
DALLAS, TEXAS 75251.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge